

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

**NEWMONT USA LIMITED**, a Delaware  
Corporation,

Plaintiff,

vs.

**IMATECH SYSTEMS CYPRUS PTY LTD**  
**dba ARMORPIPE™ TECHNOLOGIES**, a  
foreign Corporation; **INTERNATIONAL**  
**MATERIALS & TECHNOLOGY PTY**  
**LIMITED dba IMATECH**, a foreign  
Corporation; and **DOES 1 to 10**, inclusive,

Defendants.

Case No. 3:18-cv-00575-HDM-WGC

**ORDER GRANTING MOTION FOR  
ISSUANCE OF LETTER ROGATORY  
(AUSTRALIA)**

The Court, having reviewed the Motion for Issuance of Letter Rogatory filed by Plaintiff,  
Newmont USA Limited, a Delaware Corporation (“Newmont”),

IT IS SO ORDERED that:

1. The Federal District Court – District of Nevada respectfully requests the  
assistance of the Australian Central Authority in serving Defendants, a foreign corporation in  
Australia.

2. The service addresses have been provided in Exhibit 2 and 3 of the Motion, Form  
USM-94.

3. Plaintiff has filed a claim in the above captioned matter including, for a breach of contract and associated claims dealing with defectively constructed pipes used in mining operations, produced by Defendants in their international Australia facilities. Plaintiff seeks judgment including, but not limited to, all damages as allowed by law.

4. It is necessary for the purposes of justice and for the due determination of the matters in dispute between the parties that the Australian Central Authority cause the following Defendants to be served with the Summons and Complaint. It has been represented to this Court that Defendant can presently be served at the following address:

International Materials & Technology Pty Ltd. dba Imatech  
Warwick J. Rule, Chairman  
ABN 49 063 145 960  
Unit 7/6 Gladstone Road  
Castle Hill, NSW 2154  
Australia

and

International Materials & Technology Pty Ltd. dba Imatech  
Warwick J. Rule, Chairman  
ABN 49 063 145 960  
Level 8, 261 George Street  
Sydney NSW 2000  
Australia

5. The Federal District Court – District of Nevada respectfully requests that the Australian Central Authority arrange for service of the Summons and Complaint by leaving with Warwick J. Rule, Chairman, or another individual authorized to accept the service of civil process in the manner prescribed for service of similar documents under the laws of Australia.

6. This Court further requests that, after service has been made, you cause the person who serves the documents upon Warwick J. Rule, Chairman. to execute a formal Certificate of Service, as required by Australia law for service in its courts, and return it together with a copy of the documents served to this Court at the address below.

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1           7.       Plaintiff's counsel stands ready to reimburse the Australian Central Authority for  
2 all expenses incurred in executing this request for judicial assistance.

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4                               **ORDER**

5                               IT IS SO ORDERED:

6                               William G. Cobb

7                               UNITED STATES MAGISTRATE JUDGE

8                               DATED: January 14, 2019  
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